

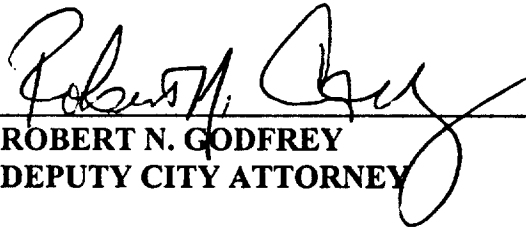
Entered - 09/14/01 - sb
CL01L0566 - DIANNE C. MITCHELL

01-*R*-1774

**CLAIM OF: LOOMIS FARGO & COMPANY,
through their insurance carrier,
Recovery Services International
P. O. Box 88139
Atlanta, Georgia 30356**

For damages alleged to have been sustained as a result of a vehicular
accident on March 23, 2001 at Northside Drive and Fair Street.

THIS ADVERSED REPORT IS APPROVED

BY: 

**ROBERT N. GODFREY
DEPUTY CITY ATTORNEY**

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0566

Date: October 18, 2001

Claimant /Victim LOOMIS FARGO AND COMPANY
BY: (Ins. Co.) Recovery Services International
Address: P. O. Box 88139, Atlanta, Georgia 30356
Subrogation: X Claim for Property damage \$ 4,900.00 Bodily Injury \$
Date of Notice: 08/23/01 Method: Written, proper Improper
Conforms to Notice: O.C.G.A. §36-33-5 Ante Litem (6 Mo.)
Date of Occurrence 03/23/01 Place: Northside Drive and Fair Street
Department Police Division:
Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant alleges that its vehicle was damaged when it was struck by the driver of a vehicle who was eluding police. The investigation determined that the perpetrator, who was eluding police, was negligent in causing this accident when he failed to stop for police. He continued driving and failed to stop for a traffic signal and collided with the claimant's vehicle. There was no negligence on the part of the police officers in causing this accident. Furthermore, the City is immune from liability as set forth in O.C.G.A. §36-33-1 and §36-33-3.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral
Pictures Diagrams Reports: Police X Dept Report Other
Traffic citations issued: City Driver Claimant Driver
Citation disposition: City Driver Claimant Driver

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial
Improper Notice More than Six Months Other X Damages reasonable
City not involved Offer rejected Compromise settlement
Repair/replacement by Ins. Co. Repair/replacement by City Forces
Claimant Negligent City Negligent Joint Claim Abandoned

Respectfully submitted,


INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01
Claims Manager:  Concur/date 107821
Committee Action: Council Action

Betty Smith
Recovery Representative

August 21, 2001

RECEIVED
AUG 23 2001
MUNICIPAL CLERK

Mitchell
RSI 09/11/01
Recovery Services International *Du*

PO Box 88139
Atlanta, GA 30356
Telephone: 770.399.3631
Fax: 770.399.3997

Counsel of the City of Atlanta
Municipal Clerk
City Hall
55 Trinity Ave Sw
Atlanta, GA 30335

ENTERED - 9-14-01 - SB
01L0566 - DIANNE MITCHELL

Client Company : Loomis Fargo & Co.
RSI File Number: Q514A 000419
Date/Event: 03/23/01
Your officer: Officer F. Huff

NOTICE OF DEMAND FOR PAYMENT OF LOSS AND PROOF OF CLAIM

Dear Sir/ Madam:

We are the recovery agents for Loomis Fargo & Co. Our client has sustained a loss resulting from this accident for which your insured was responsible.

Please be advised that Loomis Fargo & Co. is governed by the Federal government. They prohibit the transportation of money in anything except an armored vehicle. Loomis do not have any extra vehicle, so they are asking for what it cost in overtime, extra personnel, etc. to continue their routes, they compute this to be an average of \$350.00 per day. It will take 14 days to repair vehicles. So, we are requesting \$4900.00 in downtime.

I have attached a copy of an estimate of what it would cost to rent an similar vehicle(armored vehicle). It would cost \$960.00 per day, as you can see, the average figure that my client is requesting is quite reasonable.

Attached are copies of our supporting documents in this matter. Please forward a check in the amount of 17,394.34 payable to Recovery Services International, by return mail.

Sincerely,

Betty Smith
Betty Smith

enclosures

01- R-1774